

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
 ) MB Docket No. 13-282  
Amendment of Section 73.202(b), ) RM-11706  
Table of Allotments, )  
FM Broadcast Stations. )  
(Bruce and Water Valley, )  
Mississippi) )

Accepted/Filed

FEB 28 2014

Directed to: Office of the Secretary  
Attention: Media Bureau

FCC Office of the Secretary

**MOTION TO DISMISS COUNTERPROPOSAL**

Telesouth Communications, Inc. ("Petitioner"), by its attorneys, hereby respectfully submits its Motion to Dismiss the Counterproposal submitted in the above-captioned proceeding by Elijah Mondy on or about January 13, 2014, in light of the fact that the Counterproposal did not and does not meet the Commission's requirements for such proposals for new allotments. With respect thereto, the following is stated:

While the *Notice of Proposed Rule Making* in this proceeding, DA 13-2229, released November 22, 2013, (the "*NPRM*"), proposes to substitute FM Channel 284A for vacant FM Channel 233A at Bruce, Mississippi, the Counterproposal requests that Channel 284A instead be allotted to the community of New Houlka (or Houlka), Mississippi as a new service. This Counterproposal must be dismissed as defective because Mr. Mondy did not submit an application for the proposed New Houlka allotment at the time he filed the Counterproposal, and even when he belatedly submitted an application a month later, that application does not meet the Commission's requirements.

Section 1.401(d) of the Commission's Rules clearly provides that "[p]etitions to amend the FM Table of Allotments must be accompanied by the appropriate construction permit application and payment of the appropriate application filing fee" 47 C.F.R. §1.401(d). Counterproposals are included among the petitions which must be accompanied by the filing of an application for construction permit for the proposed allotment. *See, Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services*, 21 FCC Rcd 14212, 14224 (2006). Petitioner noted in its Reply Comments that upon review of the FCC's records, it had found no evidence that Mr. Mondy had filed an application for an FM construction permit for the proposed New Houlka allotment, nor did his Counterproposal include any claim that he had made such a filing. Moreover, even in his later filed, unauthorized "Response to Reply Comments," Mr. Mondy did not contest the conclusion that he had not filed an application at the time he submitted his Counterproposal. On this basis alone, the Counterproposal must be dismissed, as the failure to file an application is a fatal defect which cannot later be cured. The Commission's rule is quite explicit that a counterproposal must be *accompanied* by the requisite application and filing fee. Consequently, a counterproposal which is not filed simultaneously with an application and filing fee cannot be considered and must be dismissed.

After Petitioner submitted its Reply Comments, as noted above, Mr. Mondy first filed an unauthorized "Response to Reply Comments," on or about February 5, 2014. In his Response, Mr. Mondy provided irrelevant information about why the station which formerly operated at Bruce, Mississippi, had surrendered its license for cancellation,

tacitly acknowledged that he had not filed an application for New Houma, and claimed that this omission was a mere “technicality.” At no point to date, despite many opportunities to do so, has Mr. Mondy ever contested Petitioner’s assertion that no application for construction permit was filed with his Counterproposal.

Contrary to Mr. Mondy’s blithe assertion that the failure to file an application for the allotment sought in his Counterproposal was a mere “technicality,” however, the Commission adopted the requirement that applications be filed simultaneously with proposals and counterproposals after due consideration and for the specific purpose of fighting prior, perceived abuses of its rule making procedures. *Id.* Thus, Mr. Mondy’s failure to submit the required application simultaneously with his Counterproposal is a serious omission which flies in the face of settled Commission policy. Such a dismissive flaunting of the Commission’s reasoned policy cannot be excused.

Neither can the belatedly-filed New Houka application which Mr. Mondy finally did submit on February 13, 2014, act to save the Counterproposal. Even leaving aside for the moment the explicit requirement of Section 1.401(d) of the Commission’s Rules that the application be filed simultaneously with the filing of a counterproposal requesting a new allotment, the application as submitted does not satisfy the requirements for such applications as laid out by the Commission.

Specifically, the Commission requires that a proposal for a new allotment be accompanied not only by the filing of an application for an appropriate construction permit but also by the submission of the requisite application filing fee. 47 C.F.R. §1.401(d). An examination of Mr. Mondy’s application, File No. BNPH-20140213ABL, however, shows that he did not comply with either of these requirements.



First, it is clear from the face of his application that Mr. Mondy did not pay the application filing fee. Section I, Question 3 of FCC Form 301 asks “[i]f this application has been submitted without a fee, indicate reason for fee exemption,” and Mr. Mondy marked the “Other” box and entered the explanation “Counterproposal.” The Commission was quite clear, however, in adopting the requirement that proponents of new allotments both file an application and pay the application filing fee that such a requirement is necessary to assure the allotment proponent’s good faith. *Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services*, 21 FCC Rcd at 14223-24. Without the payment of the filing fee, Mr. Mondy has made little, if any, investment and has virtually nothing on the line. It is this lack of any real stake in the matter which the Commission concluded could lead to less than *bona fide* proposals, and the Commission found that “the public interest is best served by processing only those proposals for new allotments filed by *bona fide* potential applicants....” *Id.* at 14224. Thus, the Counterproposal must be dismissed solely on the basis of failure to pay the required filing fee.

A second and even more troubling aspect of Mr. Mondy’s claim of an exemption from filing fees is that he knew or should have known that he was not entitled to any such exemption. In response to Section II, Question 1 of his application, Mr. Mondy certified that he had “answered each question in this application based on [his] review of the application instructions and worksheets.” The instructions for FCC Form 301 lay out in the section entitled “Instructions for Section I: General Information,” as Item 3, found on page 3 of the instructions, the available exemptions from filing fees, and Mr. Mondy

clearly does not fit within any of them. Since Mr. Mondy certified that he had reviewed the application instructions, he was on notice as to what is required to qualify for an exemption to the filing fees, but he nonetheless claimed an exemption to which he was not entitled.

This tendency to ignore Commission requirements continues in other parts of Mr. Mondy's application. Section II, Question 3 requests a list of "call signs, locations, and facility identifiers of all other broadcast stations in which applicant or any party to the application has an attributable interest." Mr. Monday provided no information in response to this question. A search of the Commission's Consolidated Data Base System, however, shows that an Elijah Mondy, located at the same address that is on Mr. Mondy's application, is the license of or owns attributable general partnership interests in three other stations: KJIW-FM, Facility Identification Number 19237, Helena, Arkansas; KCAT(AM), Facility identification Number 30138, Pine Bluff, Arkansas, and WJIW(FM), Facility Identification Number 43459, Greenville, Mississippi. Attached hereto as Exhibit 1 are printouts from the Commission's database and of the most recent KCAT ownership report, all of which demonstrate Mr. Mondy's interest in the above-named stations. While Mr. Mondy has certified in Exhibit 5 of the New Houlka application that he had no ownership interest in any station which would have a service contour that overlaps the proposed New Houlka facility, and Petitioner has no indication to the contrary, the apparent lack of a multiple ownership issue does not settle the matter. The fact remains that Mr. Mondy withheld information as to his other stations despite a clearly worded question which explicitly requested such information.

Turning to the FM Engineering section of the application, the same pattern continues. In response to Section III, question 5, Mr. Mondy indicates that he has filed a notification of his proposed tower with the Federal Aviation Administration ("FAA"). When undersigned counsel searched the FAA's Obstruction Evaluation/Airport Airspace Analysis website, through which FAA notices of proposed construction or alteration are filed, however, no such proposal was found among the records of pending proposals for construction in Mississippi. Attached hereto as Exhibit 2 is a printout of the FAA's database showing proposals submitted for Mississippi, and there is no listing for the geographic co-ordinates specified by Mr. Mondy. It appears, therefore, that this certification is inaccurate.

Furthermore, the technical specifications do not appear to be entirely reliable. Mr. Mondy has indicated that the overall height of the proposed tower, the height of the radiation center above ground level, and the height of the radiation center above average terrain are all 100 meters. While the height of the radiation center above ground and above average terrain theoretically could be the same if the tower is located in an area of perfectly average terrain, this combination appears unlikely, particularly in light of the further claim that the radiation center will be at the very top of the tower, with no obstruction beacon or anything else above it on a more than 300 foot tower.

Finally, despite the fact that Mr. Mondy separately certified in Section II that the "statements in this application are true, complete, and correct..." and in Section III that he had found the engineering data to be "accurate and true," Mr. Mondy dated the application January 13, 2014. That date is the same date on which Mr. Mondy filed his counterproposal and thus appears to be an attempt to lend an appearance that the



application was filed on the same day as the Counterproposal. The file number assigned by the Commission's CDBS makes it clear, however, that the application was not filed until a month later, on February 13, 2014. Moreover, the tone of Mr. Mondy's "Response to Reply Comments," in which he referred to Petitioner's arguments as raising a "technicality," and his failure to confirm in that response that he filed an application are persuasive indications that even as of February 5, 2014, when he filed the Response, Mr. Mondy had not filed a New Houlka application.

Accordingly, the Counterproposal must be dismissed. Contrary to the Commission's requirements for counterproposals requesting new allotments, Mr. Mondy did not simultaneously file an application seeking a construction permit for the proposed allotment nor pay the appropriate filing fee. Furthermore, even when he did get around to filing a belated application for the proposed allotment, he still did not pay the appropriate filing fee. Even more damaging, the application as filed omitted key information and included apparently inaccurate information as to an FAA filing and the date of certification of the application. Thus, the application was not timely filed and failed to include the required elements to support the Counterproposal.

WHEREFORE, the premises considered, Petitioner respectfully requests that the Counterproposal submitted by Mr. Mondy be dismissed forthwith.

Respectfully submitted,

TELESOUTH COMMUNICATIONS, INC.

By:



M. Scott Johnson

Anne Goodwin Crump

Its Attorneys

FLETCHER, HEALD & HILDRETH, P.L.C.  
1300 N. 17<sup>th</sup> Street - Eleventh Floor  
Arlington, Virginia 22209  
(703) 812-0400

February 28, 2014



## EXHIBIT 1

[FCC Home](#) | [MB](#)**Station Search Details**[FCC](#) > [Media Bureau](#) > [MB-CDBS](#) > [CDBS Public Access](#) > [Station Search](#)[Help](#) [site map](#)

## Station Search Details

**Call Sign:** KJIW-FM  
**Facility Id:** 19237  
**Primary Station Call Sign:**  
**Community of License:** HELENA, AR  
**Service:** FM  
**Fac Type:** FM STATION  
**Status:** LICENSED  
**Status Date:** 03/22/2000  
**Frequency:** 94.5  
**Channel:** 233  
**Digital Status:**  
**Lic Expir:** 06/01/2020  
**Licensee:** ELIJAH MONDY, JR.  
**Address:** 204 MOORE STREET  
**Address 2:**  
**City:** HELENA  
**State:** AR  
**Zip Code:** 72342 -  
**Phone Number:**  
**Engineering Data** [View Engineering Data](#)  
**Call Sign History** [View Call Sign History](#)  
**FRN History** [View FRN History](#)  
**Correspondence Folder** [View Correspondence Folder](#)

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Please send comments via standard mail to the Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street, S.W., Washington, D.C., 20554. Questions can also be answered by calling the FCC's National Call Center, toll free, at 1-888-Call FCC (1-888-225-5322).

Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554  
[More FCC Contact Information...](#)

Phone: 1-888-CALL-FCC (1-888-225-5322)  
TTY: 1-888-TELL-FCC (1-888-835-5322)  
Fax: 1-866-418-0232  
E-mail: [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov)

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## Station Search Details

**Call Sign:** KCAT  
**Facility Id:** 30138  
**Primary Station Call Sign:**  
**Community of License:** PINE BLUFF, AR  
**Service:** AM  
**Fac Type:**  
**Status:** LICENSED  
**Status Date:**  
**Frequency:** 1340  
**Channel:**  
**Digital Status:**  
**Lic Expir:** 06/01/2020  
**Licensee:** MONDY BURKE SMITH BROADCASTING NETWORK  
**Address:** 204 MOORE STREET  
**Address 2:**  
**City:** HELENA  
**State:** AR  
**Zip Code:** 72342 -  
**Phone Number:** (870) 338-2700  
**Call Sign History** [View Call Sign History](#)  
**FRN History** [View FRN History](#)  
**Correspondence Folder** [View Correspondence Folder](#)

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## Station Search Details

<b>Call Sign:</b>	WJIW
<b>Facility Id:</b>	43459
<b>Primary Station Call Sign:</b>	
<b>Community of License:</b>	GREENVILLE, MS
<b>Service:</b>	FM
<b>Fac Type:</b>	FM STATION
<b>Status:</b>	LICENSED
<b>Status Date:</b>	05/02/2005
<b>Frequency:</b>	104.7
<b>Channel:</b>	284
<b>Digital Status:</b>	
<b>Lic Expir:</b>	06/01/2020
<b>Licensee:</b>	MONDY-BURKE BROADCASTING NETWORK
<b>Address:</b>	204 MOORE STREET
<b>Address 2:</b>	
<b>City:</b>	HELENA
<b>State:</b>	AR
<b>Zip Code:</b>	72342 -
<b>Phone Number:</b>	
<b>Engineering Data</b>	<a href="#">View Engineering Data</a>
<b>Call Sign History</b>	<a href="#">View Call Sign History</a>
<b>FRN History</b>	<a href="#">View FRN History</a>
<b>Correspondence Folder</b>	<a href="#">View Correspondence Folder</a>

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Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0010 (March 2013)	FOR FCC USE ONLY
<b>FCC 323</b> <b>OWNERSHIP REPORT FOR COMMERCIAL</b> <b>BROADCAST STATIONS</b>		<b>FOR COMMISSION USE ONLY</b> <b>FILE NO. BOA-20131219JOK</b>

**Section I - General Information**

1.	Legal Name of the Respondent MONDY BURKE SMITH BROADCASTING NETWORK		
	Street Address (1) 204 MOORE STREET		
	Street Address (2)		
	City HELENA	State or Country (if foreign address) AR	ZIP Code 72342 -
	Telephone Number (include area code) 8703382700	E-Mail Address (if available)	
	FCC Registration Number: 0011289873	Call Sign KCAT	Facility ID Number 30138
2.	Contact Representative ELIJAH MONDY		
	Firm or Company Name MONDY BURKE SMITH BROADCASTING NETWORK		
	Street Address (1) 204 HELENA		
	Street Address (2)		
	City HELENA	State or Country (if foreign address) AR	ZIP Code 72342 -
	Telephone Number (include area code) 8703382700	E-Mail Address (if available)	
3.	Nature of Respondent (See Instructions for definitions) <input checked="" type="radio"/> Licensee <input type="radio"/> Permittee <input type="radio"/> Entity with an attributable interest		
4.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input type="radio"/> Governmental Entity <input type="radio"/> Fee-exempt Report <input type="radio"/> Other Other <input checked="" type="radio"/> N/A (Fee Required)		
5.	All of the information furnished in this Report is accurate as of 10/01/2013 <i>(Date entered must (1) be Oct. 1 of the filing year when filing a Biennial Ownership Report (or Nov. 1, 2009 in the case of the initial filing); or (2) be no more than 60 days prior to the date of filing when filing a non-biennial Ownership Report.)</i>		
6.	Purpose: This Report is filed for: (choose one) a. <input checked="" type="radio"/> Biennial b. <input type="radio"/> Validation and Resubmission of a previously filed Biennial Report (certifying no change from previous Report) c. <input type="radio"/> Transfer of Control or Assignment of License/Permit d. <input type="radio"/> Report by Permittee filing within 30 days after the grant of a construction permit for a new commercial AM, FM or full power television broadcast station.		



e. <input type="radio"/> Update / certification of accuracy of an initial Ownership Report filed by Permittee (filing in conjunction with Permittee's application for a station license)	
f. <input type="radio"/> Amendment to a previously filed Ownership Report	File Number: -
If an Amendment, <b>submit as an Exhibit</b> a listing by Section and Question Number the portions of the previous Report that are being revised.	[ Exhibit 1 ]

  

7.	Licensee and Station Information. The stations listed below are all licensed to the following person or entity:										
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Licensee Name</td> <td style="width: 50%; padding: 5px;">Licensee's FCC Registration Number (FRN)</td> </tr> <tr> <td style="padding: 5px;">MONDY BURKE SMITH BROADCASTING NETWORK</td> <td style="padding: 5px;">0011289873</td> </tr> </table>		Licensee Name	Licensee's FCC Registration Number (FRN)	MONDY BURKE SMITH BROADCASTING NETWORK	0011289873						
Licensee Name	Licensee's FCC Registration Number (FRN)										
MONDY BURKE SMITH BROADCASTING NETWORK	0011289873										
<b>Station List</b>  This Report is filed for the following stations:											
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Copy</th> <th style="width: 20%;">Call Sign</th> <th style="width: 15%;">Facility ID Number</th> <th style="width: 30%;">Location (City/State)</th> <th style="width: 25%;">Class of service</th> </tr> </thead> <tbody> <tr> <td style="text-align: center; padding: 5px;">1.</td> <td style="text-align: center; padding: 5px;">KCAT</td> <td style="text-align: center; padding: 5px;">30138</td> <td style="text-align: center; padding: 5px;">PINE BLUFF , ARKANSAS</td> <td style="text-align: center; padding: 5px;">AM Station</td> </tr> </tbody> </table>		Copy	Call Sign	Facility ID Number	Location (City/State)	Class of service	1.	KCAT	30138	PINE BLUFF , ARKANSAS	AM Station
Copy	Call Sign	Facility ID Number	Location (City/State)	Class of service							
1.	KCAT	30138	PINE BLUFF , ARKANSAS	AM Station							

  

8.	Respondent is: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;"> <input type="radio"/> Sole Proprietorship  <input type="radio"/> For-profit corporation          If "Other," describe nature of the Respondent in an Exhibit.       </div> <div style="width: 30%;"> <input type="radio"/> Not-for-profit corporation  <input checked="" type="radio"/> General partnership       </div> <div style="width: 30%;"> <input type="radio"/> Limited partnership  <input type="radio"/> Other          [ Exhibit 2 ]       </div> </div>
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<b>Section II-B - Biennial Ownership Information</b>	
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1.	Contract Information. List all contracts and other instruments required to be filed by 47 C.F.R. Section 73.3613. (Only Licensees, or Respondents with a majority interest in or that otherwise exercise <u>de facto</u> control over the subject Licensee shall respond. Other Respondents should select "Not Applicable" in response to this question.) If the agreement is a local marketing agreement (LMA) or a radio joint sales agreement (JSA), or if the agreement is a network affiliation agreement, check the appropriate box; otherwise, select "Other" for non-LMA/radio JSA or network affiliation agreements. <input checked="" type="checkbox"/> Not Applicable  <b>[Enter Contract Information]</b>
2.	Capitalization (Only Licensees or entities with a majority interest in or that otherwise exercises <u>de facto</u> control over the subject Licensee shall respond.) <input checked="" type="checkbox"/> Not Applicable  <b>[Enter Capitalization Information]</b>
3. (a.)	Ownership Interests. This Question requires Respondents to enter detailed information about ownership interests by generating a series of subforms. Answer each question on each subform. The first subform listing should be for the Respondent itself. If the Respondent is not a natural person, also list each of the officers, directors, stockholders, noninsulated partners, members and other persons or entities with a direct attributable interest in the Respondent. (A "direct" interest is one that is not held through any intervening companies or entities.) In the case of vertical or indirect ownership structures, report only those interests in the Respondent that also represent an attributable interest in the Licensee for which the Report is being submitted.  List each person or entity with a direct attributable interest in the Respondent separately. Entities that are part of an organizational structure that includes holding companies or other forms of indirect ownership must file separate ownership reports. In such a structure do not report or file separate reports for persons or entities that do not have an



attributable interest in the Licensee for which the report is being submitted.

### Ownership Interests Information

Copy Name ELIJAH MONDY  
 1. Address Street  
 200 MOORE STREET  
 City/State  
 HELENA , ARKANSAS  
 Postal/ZIP Code  
 72342 -  
 Country (if not U.S.)  
 Listing Type ☒ Respondent  
☐ Other Interest Holder  
 Relationship to Licensee ☒ Licensee (or Officer/Director of Licensee)  
☐ Person with attributable interest  
☐ Entity with attributable interest  
 Positional Interest (Check all that apply)  
☐ Officer  
☐ Director  
☒ General Partner  
☐ Limited Partner  
☐ LC/LLC/PLLC Member  
☐ Owner  
☐ Stockholder  
☐ Attributable Creditor  
☐ Attributable Investor  
☐ Other (please specify):  
 FCC Registration Number 0004934873  
 Gender, Ethnicity, Race and Citizenship Information (Natural Persons) ☐ N/A (entity)  
Gender  
☒ Male ☐ Female  
Ethnicity  
☐ Hispanic or Latino  
☒ Not Hispanic or Latino  
Race (Check all that apply)  
☐ American Indian or Alaska Native  
☐ Asian  
☒ Black or African American  
☐ Native Hawaiian or Other Pacific Islander  
☐ White  
Citizenship  
 US

	Percentage of votes	33.0 %	
	Percentage of equity	33.0 %	
		33.0 %	

Percentage of total  
assets  
(equity debt plus)

Copy Name KIRKLAND BURKE  
2. Address Street  
742 PARK DRIVE  
City/State  
FLOSSMOOR , ILLINOIS  
Postal/ZIP Code  
60422 -  
Country (if not U.S.)

Listing Type ☒ Respondent  
☐ Other Interest Holder

Relationship to Licensee ☒ Licensee (or Officer/Director of Licensee)  
☐ Person with attributable interest  
☐ Entity with attributable interest

Positional Interest  
(Check all that apply)

☐ Officer  
☐ Director  
☒ General Partner  
☐ Limited Partner  
☐ LC/LLC/PLLC Member  
☐ Owner  
☐ Stockholder  
☐ Attributable Creditor  
☐ Attributable Investor  
☐ Other (please specify):

FCC Registration Number 9990043961

Gender, Ethnicity, Race and Citizenship Information (Natural Persons) ☐ N/A (entity)  
Gender  
☒ Male ☐ Female  
Ethnicity  
☐ Hispanic or Latino  
☒ Not Hispanic or Latino  
Race (Check all that apply)  
☐ American Indian or Alaska Native  
☐ Asian  
☒ Black or African American  
☐ Native Hawaiian or Other Pacific Islander  
☐ White  
Citizenship  
US

	Percentage of votes	33.0 %	
	Percentage of equity	33.0 %	
		33.0 %	

Percentage of total  
assets  
(equity debt plus)

Copy Name DARREN SMITH  
3. Address Street  
3712 VILLAGE DRIVE  
City/State  
HAZEL CREST , ILLINOIS  
Postal/ZIP Code  
60429 -  
Country (if not U.S.)

Listing Type ☒ Respondent  
☐ Other Interest Holder

Relationship to Licensee ☒ Licensee (or Officer/Director of Licensee)  
☐ Person with attributable interest  
☐ Entity with attributable interest

Positional Interest  
(Check all that apply)

☐ Officer  
☐ Director  
☒ General Partner  
☐ Limited Partner  
☐ LC/LLC/PLLC Member  
☐ Owner  
☐ Stockholder  
☐ Attributable Creditor  
☐ Attributable Investor  
☐ Other (please specify):

FCC Registration Number 9990043995

Gender, Ethnicity, Race and Citizenship Information (Natural Persons) ☐ N/A (entity)  
Gender  
☒ Male ☐ Female  
Ethnicity  
☐ Hispanic or Latino  
☒ Not Hispanic or Latino  
Race (Check all that apply)  
☐ American Indian or Alaska Native  
☐ Asian  
☒ Black or African American  
☐ Native Hawaiian or Other Pacific Islander  
☐ White  
Citizenship  
US

	Percentage of votes	33.0 %	
	Percentage of equity	33.0 %	
		33.0 %	



		Percentage of total assets (equity debt plus)							
(b.)		Respondent certifies that any equity and financial interests not reported in response to Question 3(a) are non-attributable.						<input checked="" type="radio"/> Yes <input type="radio"/> No [ Exhibit 3 ]	
		If "No," submit as an Exhibit an explanation.							
(c.)		Does the Respondent or any person/entity with an attributable interest in the Respondent also hold an attributable interest in any other broadcast station, or in any newspaper entities in the same market, as defined in 47 C.F.R. Section 73.3555?						<input checked="" type="radio"/> Yes <input type="radio"/> No	
		If "Yes", provide information describing the interest(s), using EITHER the subform OR the spreadsheet option below for the applicable type of interest (broadcast or newspaper). Respondents with a large number (50 or more) of entries to submit should use the spreadsheet option. NOTE: Spreadsheets must be submitted in a special "XML Spreadsheet" format with the appropriate structure that is specified in the documentation. For instructions on how to use the spreadsheet option to complete this question (including templates to start with), please <a href="#">Click Here</a> .							
<b>Broadcast Interest Information</b>									
Copy	Name of Interest Holder	Call Sign	Community of license	Facility ID Number	Percentage of Votes	Percentage of Equity	Percentage of total assets (EDP)	Positional Interest (Check all that apply)	
1.	ELIJAH MONDY	KJIW-FM	City HELENA State ARKANSAS	19237	100.0 %	100.0 %	100.0 %	<input type="checkbox"/> Officer <input type="checkbox"/> Director <input type="checkbox"/> Partner <input type="checkbox"/> Limited Partner <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Stockholder <input type="checkbox"/> Attributable Entity <input type="checkbox"/> Other (please specify):	
2.	ELIJAH MONDY	WJIW	City GREENVILLE State MISSISSIPPI	43459	33.0 %	33.0 %	33.0 %	<input type="checkbox"/> Officer <input type="checkbox"/> Director <input checked="" type="checkbox"/> Partner <input type="checkbox"/> Limited Partner <input type="checkbox"/> Owner <input type="checkbox"/> Stockholder <input type="checkbox"/> Attributable Entity <input type="checkbox"/> Other	

								(please specify):
3.	KIRKLAND BURKE	WJIW	City GREENVILLE State MISSISSIPPI	43459	33.0 %	33.0 %	33.0 %	<input type="checkbox"/> Officer <input type="checkbox"/> Director <input checked="" type="checkbox"/> Partner <input type="checkbox"/> Limited Partner <input type="checkbox"/> Owner <input type="checkbox"/> Stockholder <input type="checkbox"/> Attributable Entity <input type="checkbox"/> Other (please specify):
4.	DARREN SMITH	WJIW	City GREENVILLE State MISSISSIPPI	43459	33.0 %	33.0 %	33.0 %	<input type="checkbox"/> Officer <input type="checkbox"/> Director <input checked="" type="checkbox"/> Partner <input type="checkbox"/> Limited Partner <input type="checkbox"/> Owner <input type="checkbox"/> Stockholder <input type="checkbox"/> Attributable Entity <input type="checkbox"/> Other (please specify):

**[Newspaper Interests Subform]**

- (d.) Are any of the individuals listed in response to Question 3(a) married, related as parent-child, or related as siblings?

☐ Yes  
☒ No

If "Yes", complete the information describing the relationship.

**[Enter Familial Relationships Information]**

- (e.) Is Respondent seeking an attribution exemption for any officer or director with duties unrelated to the Licensee ?

☐ Yes  
☒ No

If "Yes", complete the information in the required fields and submit an Exhibit fully describing that individual's duties and responsibilities, and explaining why that individual should not be attributed an interest.

**[Enter Attribution Exemption Information]**

4.	Respondent's Interests Held. Each Respondent other than a Licensee should list the name and FCC Registration Number of all entities in which the Respondent holds a direct attributable ownership interest,	<input checked="" type="checkbox"/> N/A
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	<p>where that listed entity has an attributable ownership interest in the Licensee of the stations associated with the Report. Licensees should select "N/A" in response to this question.</p> <p><b>For any listing that includes the name of a person or entity reported on multiple Ownership Reports, ensure that the FRN information is consistent among all such Ownership Reports. Respondents should coordinate with each other to ensure such consistency.</b></p> <p><b>[Enter Respondent Interests Held Information]</b></p>	
5.	<p><b>Organizational Chart. LICENSEES ONLY:</b> Attach a flowchart or similar document showing the Licensee's vertical ownership structure including the Licensee and all persons/entities that have attributable interests in the Licensee.</p> <p>Non-Licensee Respondents should select "N/A" in response to this question.</p>	<input type="checkbox"/> N/A <b>[ Exhibit 5 ]</b>

### SECTION III - CERTIFICATION

I certify that I am PARTNER

(Official Title)

of MONDY BURKE SMITH BROADCASTING NETWORK

(Exact legal title or name of Respondent)

and that I have examined this Report and that to the best of my knowledge and belief, all statements in this Report are true, correct and complete.

(Date of the signature below must (1) be no earlier than Oct. 1 of the filing year when filing a Biennial Ownership Report (and no earlier than Nov. 1, 2009 in the case of the initial filing); or (2) be no more than 60 days prior to the date of filing when filing a non-biennial Ownership Report.)

Signature ELIJAH MONDY	Date 12/19/2013
Telephone Number of Respondent (Include area code) 8703382700	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

### Exhibits

#### Exhibit 5

**Description:** ORGANIZATION STRUCTURE

ELIJAH MONDY, KIRKLAND BURKE, DARREN SMITH EQUAL PARTNERS



## EXHIBIT 2



Federal Aviation  
Administration

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Case Number	City	State	Latitude	Longitude	Site Elevation	Structure Height	Total Height
2012-ASO-8027-OE	DeKalb	MS	32° 39' 04.88" N	88° 45' 24.93" W	482	240	722
2012-ASO-8029-OE	DeKalb	MS	32° 39' 09.26" N	88° 45' 35.94" W	482	303	785
2012-ASO-8030-OE	DeKalb	MS	32° 39' 17.28" N	88° 45' 39.05" W	482	260	742
2012-ASO-8031-OE	DeKalb	MS	32° 39' 10.98" N	88° 45' 35.90" W	482	418	900
2012-ASO-8032-OE	DeKalb	MS	32° 39' 15.19" N	88° 45' 35.90" W	482	418	900
2013-ASO-5149-OE	Olive Branch	MS	34° 57' 45.30" N	89° 47' 07.80" W	387	36	423
2013-ASO-5150-OE	Olive Branch	MS	34° 57' 45.28" N	89° 47' 12.49" W	387	36	423
2013-ASO-9462-OE	Vanceleave	MS	30° 36' 19.59" N	88° 38' 48.64" W	103	591	694
2013-ASO-10561-OE	Gulfport	MS	30° 25' 04.58" N	89° 04' 15.60" W	15	115	130
2013-ASO-11232-OE	Olive Branch	MS	34° 57' 52.57" N	89° 47' 20.16" W	387	36	423
2013-ASO-11233-OE	Olive Branch	MS	34° 57' 52.59" N	89° 47' 06.95" W	387	36	423
2013-ASO-11301-OE	Oxford	MS	34° 24' 25.83" N	89° 30' 42.58" W	477	250	727
2013-ASO-11311-OE	Shuqualak	MS	32° 56' 27.53" N	88° 34' 53.78" W	238	12	250
2013-ASO-11685-OE	Philadelphia	MS	32° 42' 57.91" N	89° 12' 49.06" W	495	210	705
2014-ASO-138-OE	Olive Branch	MS	34° 57' 46.63" N	89° 47' 20.15" W	387	36	423
2014-ASO-139-OE	Olive Branch	MS	34° 57' 46.66" N	89° 47' 06.93" W	387	36	423
2014-ASO-309-OE	Woodville	MS	31° 08' 51.75" N	91° 30' 22.83" W	109	421	530
2014-ASO-329-OE	Olive Branch	MS	34° 59' 34.00" N	89° 48' 08.00" W	399	160	559
2014-ASO-456-OE	Oxford	MS	34° 22' 03.80" N	89° 32' 32.20" W	538	148	686
2014-ASO-462-OE	Purvis	MS	31° 07' 01.65" N	89° 30' 54.72" W	373	327	700

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Case Number	City	State	Latitude	Longitude	Site Elevation	Structure Height	Total Height
2014-ASO-623-OE	Columbus	MS	33° 38' 42.60" N	88° 26' 45.33" W	218	1	219
2014-ASO-634-OE	Ridgeland	MS	32° 25' 12.93" N	90° 07' 13.49" W	332	151	483
2014-ASO-690-OE	Gulfport LA	MS	30° 25' 38.14" N	89° 03' 48.90" W	10	220	230
2014-ASO-939-OE	Tupelo	MS	34° 12' 44.10" N	88° 49' 00.57" W	339	260	599
2014-ASO-1073-OE	Columbus	MS	33° 38' 33.00" N	88° 25' 30.00" W	219	130	349
2014-ASO-1091-OE	Columbus	MS	33° 38' 33.00" N	88° 25' 30.00" W	219	30	249
2014-ASO-1114-OE	Brandon	MS	32° 19' 54.59" N	90° 00' 13.26" W	365	170	535
2014-ASO-1116-OE	Columbus	MS	33° 38' 42.60" N	88° 26' 45.33" W	218	75	293
2014-ASO-1184-OE	Clinton	MS	32° 18' 43.87" N	90° 22' 15.20" W	269	160	429
2014-ASO-1186-OE	Terry	MS	32° 05' 00.15" N	90° 25' 32.23" W	311	315	626
2014-ASO-1187-OE	Jackson	MS	32° 22' 21.93" N	90° 10' 53.22" W	303	150	453
2014-ASO-1191-OE	Richton	MS	31° 24' 59.58" N	88° 57' 27.93" W	309	320	629
2014-ASO-1194-OE	Terry	MS	32° 06' 22.65" N	90° 19' 53.06" W	352	240	592
2014-ASO-1196-OE	Forest	MS	32° 10' 28.83" N	89° 30' 45.25" W	539	370	909
2014-ASO-1204-OE	Raymond	MS	32° 14' 55.48" N	90° 20' 41.97" W	365	199	564
2014-ASO-1208-OE	Florence	MS	32° 06' 49.86" N	90° 03' 36.97" W	364	220	584
2014-ASO-1277-OE	Raymond	MS	32° 16' 31.41" N	90° 26' 20.80" W	281	229	510
2014-ASO-1286-OE	Summit	MS	31° 17' 03.35" N	90° 19' 41.63" W	423	271	694
2014-ASO-1292-OE	Jackson	MS	32° 19' 01.62" N	90° 13' 15.23" W	365	125	490
2014-ASO-1293-OE	Shannon	MS	34° 08' 34.01" N	88° 42' 41.93" W	248	310	558

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